App. F. IX-4

1927.

(Migrn)

File No. 174-27

Serial Nos. 1--7

Previous References

Later References

General and Revenue Secretariat.

Serial Nos. 7

Part B for February 1928.

SUBJECT

Telegram dated 8.12.27 from the Muslim
citizens of Sagar re the demolition of the ~~Masjid~~ Dhaal
by the Assistant Commissioner & forces for the
abstraction of the same.

WP-1235 dated 1.2.28

To the ~~Deputy~~. Com
Jhansi.

Approves of the proposal
made by the Dy. Com^r. If necessary
further action may be taken in the matter.

EAT Quaker Oats FOR HEALTH AND STRENGTH

TORTOISESHELL CIGARETTES

POSTS & TELEGRAPHS

MUZRAI

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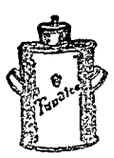

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govt authorities to this
immediately all inhumed
can citizens greatly
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Recd here at H M

our detailed [illegible] of
actions follow immediately
pray for acceptance of
this order till your
hear our representation
muslim citizens

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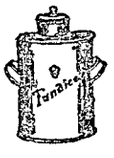

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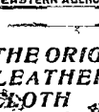
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General and Revenue Secretariat. File No. of 192 .

Serial No.

A telegram from Mahomedan inhabitants of Sagar re - a ~~petition~~ shed ~~erected~~ within the premises of the mosque which has been ordered by the D.C. to be pulled down is sent for perusal

It will be sent to the Dy Comr for disposal

Mr Wise

First Member

Mr. Dalal can write SFC as I am a Magistrate and this Police. Call for Report if any he called for

WD 0821—3PB—6/0/20—21 . 27

App. F. III—J

General and Revenue Secretariat. Mer2 File No 174 of 1927-28

Serial No.

4) D/Sr. Submitted.

AG 13.12.27

BG 13/12/27

5) Done + putup

DHS 15/12

2. D. 774. Dt. 12.12.27 from Khaja Syd Ruskin Shah Idrus & Shahabuddin Khan Saheb, Nagar appeal against the order of the Sub Magistrate, Nagar Sub D. ordering the building putup near the mosque to be pulled down &c.

6) The map approved has been attached & putup for approval. It will be received above.

BG 14/12/27

3. To. D.C. Shimoga

No 998 Dt 16.12.27

calls for report on the above.

4. From, the Muzrai Comr

Letter No. P.C. 196 Dt 22.12.27

Submits the report with Records called for in the above

NOTE—Contn sheet

General and Revenue Secretariat. | File No 174 of 192

Serial No

a) The Sub Divl officer's rpt dy 7.12.2), and the D.C's letter dy 15.12.2) go fully into the facts of the case

a) It will be seen from the D.C's report that during his visit to Sagar in Jany last, the Dewan was pleased to direct the Construction of a flight of steps on a site behind the Ganapati temple at Sagar. The Muhammadans of Sagar unauthorizedly constructed a zinc shed and a cross wall on the above site. When the work of Construction of steps was about to be commenced by D P.W. the Sub Divl officer (Mr. D C Subbarayappa) having ordered its demolition, the muhammadan residents complained to Govt. The D.C reports that the whole episode ended in peace, and the unauthorized building was completely removed.

(b) The D.C. is of opinion

Note Contn sheet

General and Revenue Secretariat.

File No. 174 of 192).

Serial No.

That it is not desirable to compel the Muhammadans to acquiesce in the construction of the steps which they say disturb their religious ceremonies, though they should not be allowed to put up urinals or any other structure. and add that to avoid frequent clashes which might results in frequent disturbances of the peace, the arrangement he has suggested above, is most desirable.

1) Submitted for orders.

PC 3.1.1928

2) The construction of the steps was ordered by the Dewan and the ground on which the work has been done belongs to the Masjid. The Muhammadans are said to have come to terms, and the Deputy Commissioner says that the whole episode ended in "peace & no threat any breach the peace or unpleasantness".

3) The report of the Mag. Con. may perhaps be recorded and he may be asked to see that the work is done early.

4/1/28

and the M C sanctioned an estimate for Rs841 for this work.

NOTE—Contn. sheet.

WD 0321—GPB—60,000—24-5-27

General and Revenue Secretariat. File No of 192

Serial No.

The Mamlatdar Cannr's letter is subd for perusal
The report of the Dy Cannr and the
opns of the Assistant Cannr in charge
of the Sub Div and his reports to the D.C.
explain the situation clearly. No further
action seems necessary here in this
case as the unauthorised structure
has been removed without any difficulty
arising. The petitioners request that
the steps proposed to be built for
the temple should not be built:
their construction seems however to
have been approved after full consideration
the rights of the parties and it is said
that the Dewan during his visit to
Sagar last year approved of them
being put up. The claim of the
petitioners that the land in question belongs
to them is, it is said, not supported by
any documents. The correspg may be accordingly
if appd

7/1.

Secnd Member
First Member

7.1.28

The file cases perhaps be
sent to the Dewan also
as there is a reference in the
papers to his instructions.

OFFICE OF THE SECOND MEMBER OF COUNCIL
7 JAN. 1928
3654

5481
9/1/28

FINANCIAL SECRETARY
7 JAN. 1928
No. 2276

The Member's note does not seem
clearly bring out the R.C's opinion
as in A of his letter, & it may
not be sufficient merely to record
the Cons^ce we may in fact
approve of A or perhaps the steps
being sanctioned. I have no objection
either, as may be appd

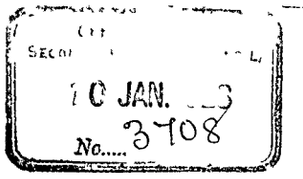
Dewan & 2nd M.
9/1/28

(I, the R.C. may not
be able to make out
why there be Sub Comy over
the person who go
& stop on
the the hostile)

WD 0521—1PB—60 000—24/5/27

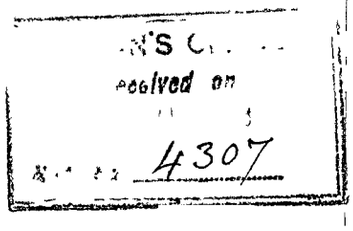
General and Revenue Secretariat.

File No 174 of 192



Serial No.

9946
11/1



10087
11.

1 Submitted Dewan Mrs 2nd member
4
9/28

19
Dewan

20 The steps may be built in accordance with the decision always arrived at.

JM
11-1-28

ST
13/12

Dy Sec h
12/1/28

21
Mr. Submitted.
16/1/28
16.1.28

51 From, the Dy Comr, Shimoga Distt
letter no. Mus. R. 363 dy 12.1.28.
Recommends that for
reasons stated, ~~that~~ the
project of the construction of
steps, may be dropped, and
adds that the allegations
made in the petition and the
claims set up, are unfounded

NOTE—Contn sheet

General and Revenue Secretariat. File No. 17/1 of 192

Serial No. 2

Secty's note:— Please submit to IInd member and Dewan as ref. with the connected file for submn.

DEWAN'S OFFICE. Received on 18. JAN. 1928 Reg. No. 1x463

16.1.28 Draft reply & the M.C. as per Dewan's order is however subd for appr. & orders

16.1.28 The Dy Comr's later report is subd for perusal. He thinks that it is desirable not to build the steps.

2. The report is of the Sub Dn Officer of Sagar as Dy Comr. in charge in the absence of the permanent Dy Comr.

3. Whether the steps may be built as has been ordered already or the opinion of the permanent D.C. obtd is for orders.

4. Draft subs to Dewan's orders on the last page is put up.

PhD

16/1

2nd Member
1st Member
Dewan

2nd Dewan

10291/10/32

5716/17/1

(Recd as report recommends a course different from that already appd) Inw

NOTE.—Contn. sheet

31 pr. D.C. recommends appt. of member as I think, if approved pm 17/1/28

30. It will seem from the wording that the draft is Mr. Rahamuyas's side remark, when he visit to Sagar etc. Attention is invited to para marked A, B & C.

2nd member

16/1/28 Inw 1817

SECOND [illegible] COUNCIL JAN. [illegible]3 No. 3866

WD 0324—GPB—60,000—24-5 27

App F III—.

General and Revenue Secretariat

File No of 192

Serial No

21 JAN. 28
No 3997

10526 5932 24/1

Sec Member
first Member

34

35

36 Revised Dft sent
26/1/28 Gil
26.1.28

37

Dft. issued

38 The Dft to the Dc has issued. A Dft. each to the parties is submitted as directed

1.2.1928

— 372 —

General and Revenue Secretariat. Mlg File No 174 of 1927

Serial No.

To

6. The Deputy Commissioner
Shimoga Dist
1235 g 1-2-28

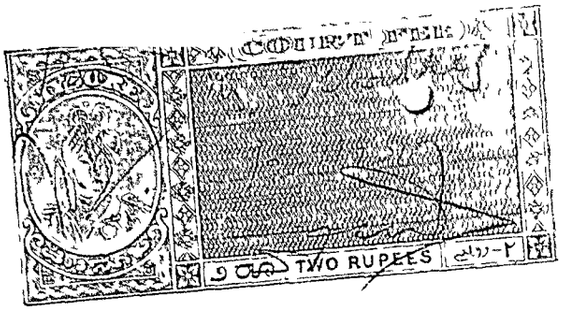
Approves of his ~~proposal~~ recommendation
& sanctions and requests him to take
necessary further action in the
matter.

To the Mlg Court
1236 g 1-2-28
Copy of the above for information
& c.

7. Khazi Syed Miskin Shah
Idrus Sagar
No 1286 g 6-2-28

Informs that necessary
orders were issued to the
Dy Court

WD 0324—GPb—60,000—24 5 27



FINANCIAL SECRETARY
13 DEC. 1927
No. 8921

BEFORE THE ~~MUZRAI COMMISSIONER~~ Government of H.H. the Maharaja in Mysore, BANGALORE.

SECRETARIAT
DEC 1927
MUZRAI
D. 774

Muzrai Case No. of 27-28

1. Khaji Syed Miskin Shah Idrus,
2. Shahabdin Khan Saheb,

Mussalmans, Sagar, Shimoga District. Petitioners (Appellants)

--------0--------

The Petitioners abovenamed beg to state as follows:--

The 1st Petitioner is the Khaji of the Jumma Maszid at Sagar Town in Shimoga District. This is the only mosque in the place and as such the Mohamodans of the town and surrounding parts are interested in it.

That just in the neighbourhood of the mosque there is a Temple. The Hindus and the Mohomadans have been for several years past, making use of the Temple and the Mosque respectively without any kind of distrubance or annoyance to either. The relations between them have been quite cordial.

That there was a small open yard with a small shed by the soutnern side of the mosque which from the beginning was being used as a urinary by those who attended the mosque for prayers.

That as the said shed fell into ruins owing to wind and rains a new structure was put up some months ago in the very place where the old one had stood and for the very need it was intended to serve.

Core

Some of the mischief-mongers necessarily took it as an opportunity to create a strife in the peaceful sphere and to that end started a movement for - having a series of steps leading to the temple put up in the said place without ascertaining the rights and equities in favour of Mahomadans or the needs of of the mosque the necessary formalities for carrying out the movement were rushed through. Some of the - subordinate Hindu authorities being presumably biassed in favour of the Temple, threatened the Petitioners and others that unless the structure which was put up by them was dismantled, criminal proceedings would be instituted against them as per Sub Division - Officer's Endoresement herewith produced. Several telegrams to higher authorities were of no avail. Hence the appeal.

The Petitioners beg to submit that the plot in question, belongs solely and wholely to the mosque and is being used as such from time immemorial.

That the said area is an absolutely indispensable adjunct to the mosque and without it, incalculable difficulty and hardship will befall the attendants of the mosque.

That the fact the entrance to the Temple is in a place ~~where~~ far removed and different from the place where the steps are ordered to be built, makes it clear trat the attempt in question, is not bona fide

That if the order in question, is allowed to be carried out, it will lead to further difficulties in as much as there will be annoyance to the Mohamadans during prayers by the passers-by. The Petitioners will, in the event of the order of the sub Division Officer being confirmed, be reduced to the necessity

of having to give up the mosque altogether and ask for a separate place for prayers.

The petitioners therefore, pray that the space lying to the south of the Jumma Masjid, in Cox Town, be not allowed to be used for the construction of steps as attempted, the same declared to be part of the mosque and pending disposal of this petition the order directing removal of the structure and all remaining other construction, be directed to be kept in abeyance.

Bangalore,
Dated 12th Dec. 1927.

ಪಾರಿಜಾತ ಪಕ್ಷಿ ಪಾಲನಾ ಸಂಸ್ಥೆ

ಅಧ್ಯಕ್ಷರು ಕಾರ್ಯದರ್ಶಿ

ದಿನಾಂಕ :

ಇವರಿಗೆ

ಶ್ರೀ/ಶ್ರೀಮತಿ

ಸದಸ್ಯತ್ವ ಶುಲ್ಕ ಪಾವತಿಸಿದ್ದಕ್ಕಾಗಿ

ಸಂಸ್ಥೆಯ ಸದಸ್ಯರಾಗಿ ಸೇರಿಸಿಕೊಂಡಿದ್ದಕ್ಕಾಗಿ

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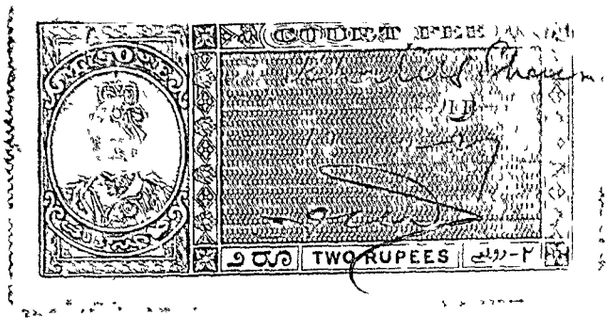
ಸಂಸ್ಥೆಯ ಸದಸ್ಯರಾಗಿ ಸೇರಿಸಿಕೊಂಡಿದ್ದಕ್ಕಾಗಿ



In the Court of the Before the Government of H H. the Maharaja of Mysore in Bangalore.

CASE NO. **OF 192 .—192 .**

~~Appellant Plaintiff~~ Petitioners		**Respondent Defendant**
Khaja Sayad Hussain Sahebs. & another.	**Vs.**	.....

1. We the petitioners ..... abovenamed do by these presents, retain Messrs. ~~B. V. RAMASWAMY CHETTY~~, B.A. R. VENKATA RAMAIYA, M. A. L. L. B, and A. J. KHALEEL, B. A., B. L., Advocates, to appear and conduct the above case on ...our.....behalf to judgment.

2....We.....further empower them to do all necessary acts in the above case, to execute any decree or order that may be passed in.....our.....behalf and to receive from the Court all documents, refunds, and all sums of money that.....we..... may be entitled to get and grant receipts therefor,

3 .....We.....also undertake to confirm and ratify all the acts done by the said Advocates or by any other Advocate on their behalf in so doing.

4.....We.... further agree that if.....we.... fail to pay the fees agreed upon or to give due instructions they are at liberty to retire from the case.

BANGALORE,
..... 12/1/1927. .

Accepted

Personally known to me and signed in my presence.

Advocates.

No. 3170
1

OFFICE OF THE PRIVATE SECRETARY
TO HIS HIGHNESS THE MAHARAJA OF MYSORE,

Mysore 8/12/1927

Mysore SECRETARIAT
8 DEC 12

Mysore
10/12

D 753

Petition, as shown below, to His Highness the Maharaja is transferred to the Chief Secretary to the Government of His Highness the Maharaja of Mysore, ... ~~Department~~, Bangalore, for favour of disposal.

A Copy of this has been sent to the Vth member. This will be placed on the complete 84 10/12/27

By Order,

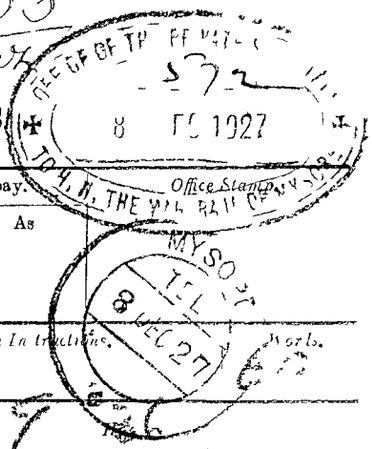
Private Secretary
to H. H. the Maharaja of Mysore.
8.12.27

No. D 72 of 1927-28

D/V 19/12 Letter in the file

D/153

POSTS TELEGRAPHS



NOTICE	Charge to pay.	
This form must accompany any inquiry made respecting this Telegram.	Rs	As

Handed in at (Office) Date. Hour. Minute. | Service Instructions. Words.

Bangalore 8 8 25

TO

Reply Paid His Highness Maharaja of Mysore Mysore

Ashes erected within our premises to owned today by assistant Commissioner to be demolished within twenty four hours otherwise give authorities do this immediately all rude Citizens greatly displeased.

N. B.—The name of the Sender if telegraphed, is written after the text.

Karim Bux Prop. Printer Cal.—729 (B 93) 23 10 26 30,000 Bks.

C.

POSTS TELEGRAPHS.

NOTICE. This form must accompany any inquiry made respecting this Telegram.	Charges to pay. Rs.	As.	Office Stamp.

Handed in at (Office of Origin)	Date.	Hour.	Minute.	Service Instructions.	Word.

TO

Recd. here at	H	M

And excite (2) our delegates representations further hereby pray for release of his own till your Highness hear our representation, Muslim Citizens

N. B.—The name of the Sender if telegraphed, is written after the text.

Karim Dur Prog. Printer. Cal.—729 (B 93) 23 10 26 90 000 Bks.

APP. F. VI. Gl.]

SUBJECT .....

Section M.L.

File No. 174.

Diary No. of letter replied to.....

Serial No.

No. 998 Income

To The Dy. Comr., Shimoga
Distt

General and Revenue Secretariat

( )

the 192

Sir,

Date of issue 16.12.27

Signed by M. Venkatera Iyengar

I am directed to forwa herewith for a very early copy of Telegram no. 752 from the Mahome inhabitants of Sagar comp ing that a Shed erecte within the premises of th mosque has been ordered by the Sub Divl Office to be pulled down, and to request to be inform whether the said office is acting as Magistra

over

As I.S.O. copy sent 12 12 27

List of enclosures .....

Copied by .....

Examined by .....

WD 0562—GPB—31,000—17-8 25

Murasa officer

I have the

honour

to inform Scabin

Bd

13/12/27

No. 999 & 26/12/27

Copy to the Mur-Cur

for info.

KO

Recd

Bd 13-12-27

No. P.C/96/27-28 Office of the Mural Commissioner for Mysore

one & two files as per cover. Dated Bangalore, the 22nd Dec 1927

From

P. G. D'Souza, Esq., B.A., B.L.,
Mural Commissioner for Mysore,
Bangalore City.

To

P. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to the Government of His
Highness the Maharaja of Mysore,
Financial Department.

Sir,

With reference to your memo No.III/Mun. Court Cir. dated [illegible] instant forwarding a copy of your letter to the Deputy Commissioner, Shimoga District, calling for a report in the matter of the petition received from the Mohomedan residents of Sagar complaining against the order of the Sub Division Officer, Sagar directing the removal of the shed erected within the [illegible] of the Mosque, I have the honor to forward herewith copy of letter No.M.C.S.365/27-28, dated 15th December 1927 addressed to the Deputy Commissioner, Shimoga, the details of circumstances of the case, together with the record and to state that the only evidence of ownership of the site in dispute is that of the closers who says that it is part of the road. It is no doubt true that the construction of the steps will really improve the appearance but there is no [illegible] the Mohomedans against surrendering any land that they claim as belonging to a mosque. In these circumstances, I am of opinion that it is not desirable to compel the Mohomedans to agree to the construction of the steps which they say is not necessary for ceremonies, though they should not be allowed to place any other structure. To avoid such clashes which may [illegible] result in frequent disturbances of the peace, the [illegible] suggested seems most desirable.

I have the honor to be,
Your most obedient servant,

P. G. D'Souza

taker against them under Section [illegible] of the Land Revenue Code. This order was sent to the Taluk Amildar for taking further -- action. From the report of the Sub Division Officer dated 6th December 1907 it is seen that at first the Mahomedan residents were not amenable to reason and complained, as a result of which the local authorities had to call for [illegible] to persuade at least such of the persons as were employed in their houses to assist -- servants in the discharge of their duty. Fortunately, the next morning the Mahomedans themselves removed the ring roofing of the temporary structure, leaving the Sub Division Officer to complete the work of ---- demolition. The Sub Division Officer reports in his report dated 10th that the whole disorder ended in a complete without any breach of the peace or unpleasantness. The unauthorised building was -- completely removed.

2. From the facts narrated above, it is clear that the steps taken by the Khatib and his men was altogether unlawful and irregular in the extreme and gives the whole case a colour that it was done with a view to create trouble between the two communities. As I have already reported above the work of constructing the flight of steps was about to be commenced by the Public Works Department and it is a known fact that the work had been approved by the Dewan Sahib -- during his visit to Sagar in January last (vide D.O. letter from the Superintending Engineer). The estimate was sanctioned by you as Mysore Commissioner for Religious. There has already been a delay of nearly a year in executing this work and this unnecessary ----- obstruction has come in the way of putting the work on hand.

3. The entire file of correspondence including the enquiry record of the Sub Division Officer herewith submitted for kind perusal and early return for further action being taken."

"Copy"

M. Chennavijesa

for Mysore Commissioner.

URGENT.

FINANCIAL SECRETARY
16 JAN. 1928
No. 10152

In all future correspondence please quote No. Muz.1.363/27-28.

OFFICE OF THE DEPUTY COMMISSIONER,
SHIMOGA DISTRICT.

Shimoga Dated 14th January 1928

Enc: One.

GEN. & REV. SECRETARIAT.
16 JAN 1928
MUZRAI

From

B. T. KESAVAIENGAR, Esq., B A,
Deputy Commissioner,
Shimoga District.

To

B. Sreenivasaiengar, Esq., B.A., B.L.,
Secretary to Government,
Financial Department,
Bangalore.

15. May please submit to Dewan and Member and the committee will be seen with

Sir,

With reference to your letter No: 998/Luz. dated 1st December 1927 forwarding for report a copy of telegram No. [illegible] and copy of petition dated 12th December 1927 from the Mahomedan inhabitants of Sagar complaining against the order of the Sub Division Officer regarding the demolition of a shed erected by them near the Mosque, I have the honour to state that I have submitted a full report in the matter to the Revenue Commissioner to Mysore, in my letter No: Muz.1.363/26-27 dated 15th December 1927. I enclose a copy of the same for the information of Government.

2. You will kindly see from my report and the records in the case that the order passed by the Sub Division Officer in this case was quite correct and the action taken by him quite called for in the circumstances of the case. The construction of the shed being an unauthorised act in more senses than one, its demolition was perfectly justified and was in no way an infringement of the rights of the Mahomedan inhabitants. As a matter of fact, the site on which the Mahomedans had put up the temporary shed and which has been selected for the construction of steps also does not belong to the Musjid. The Sub Division Officer has held for good reasons that the open area in question

From

To

Dated

Despatched

Received

General No.
No

Enclosure No.

forms part of the Ganapathikatte tank bed and the Mahomedan inhabitants have not an iota of evidence to show that the site belongs to the musjid. The construction of the shed was therefore an unauthorised act and apparently undertaken with a view to create difficulties in the matter of constructing steps sanctioned by the Muzrai Commissioner. No action is therefore called for as regards the complaint made in regard to the demolition of the unauthorised construction.

3. The next point for consideration is as regards the construction of steps sanctioned by the Muzrai Commissioner. When I went ~~out~~ to Sagar on the 18th of last month, I summoned a meeting of the leading Mahomedans and Hindus interested in the musjid and temple respectively and discussed their grievances and difficulties. The Hindus represented by Messrs. Lakshmana Rao and Rama Rao, both prominent legal practitioners in Sagar, frankly admitted that the temple authorities were not in the habit of using the vacant piece of land in question as a means of access to the tank wherefrom to fetch water. As a matter of fact, tank water is rarely taken as there is a well in the temple which serves the purpose. The vacant land therefore has not been used by the Hindus visiting the temple for the past 20 or 25 years. It is true that the Mahomedans going to the mosque for prayers have to pass through this vacant land to another piece of land further south for purposes of urination &c. There is also a proposal to construct a urinal in a portion of the land south of the land in dispute and if this is done, access to the urinal can only be through this disputed area.

4. It will thus be seen that, while the provision of the steps here may not materially help the Hindus in as much as they are not inconvenienced by the non-existence of the steps till now, it may create trouble between both the communities when both may use the land freely. The trouble and complaints may start from the orthodox Hindus who would undoubtedly resent Mahomedans passing

to and fro through the land in question when their men and women carry water for religious purposes. Eventually, it may lead to friction between the parties also. Besides, the Mahomedans also would have a legitimate ground for complaint if the Hindus wash their vessels and clothes in the portion of the tank leading from the steps and allow the dirty water to flow towards the steps of the mosque where the Mahomedans have to wash their face and hands before offering prayers. The Hindu gentlemen, with whom I discussed this position, agreed that such consequences as those anticipated were not unlikely. In view of this, it seems to me to be best to leave things alone and treat the land as land belonging to Government over which neither section will have any right.

5. There is no question that the construction of the steps will add to aesthetic setting of the whole area and that is the only advantage that commends the scheme. But the provision of the steps necessarily means provision of an access to the tank with th consequences mentioned. As it is, there is a cross wall in ruins separating this vacant land from the temple. In these circumstances, I have to respectfully submit that, if Government are of opinion that it is expedient to drop the project altogether I shall have nothing to urge against the decision.

6. The scheme was approved by the Dewan Sahib during his visit to the District last year, and the execution or non-execution of the work is therefore a matter which rests entirely with the Government. I therefore solicit early orders as to what further action I may take in this connection.

7. In conclusion, I may add just one line to state that the allegations made in the petition and the claims set up are altogether unfounded and not deserving of any consideration.

I have the honour to be,
Sir,
Your most obedient servant,

K. Subbarayappa.

Deputy Commissioner
Shimoga District.
(In charge).

Letter No: Muz.1.363/26-27 dated 15th December 1927 from the Deputy Commissioner, Shimoga District to the Revenue Commissioner in Mysore, Bangalore.

****

With reference to your official Memo Nos: Pet.835 of 27-28 dated 8th December 1927 forwarding for immediate action two telegrams received from the Musalman residents of Sagar Town protesting against the order of the Assistant Commissioner, Sagar Sub Division directing the removal of a zinc shed erected by them near the masjid at the place, I have the honour to state that on the 3rd instant, the Khaji Sahib of Sagar on behalf of his community people presented a petition to me through his Advocate alleging that the Taluk officials had disturbed them during their prayers by requiring them to pull down the temporary zinc sheet shed put up near the Musjid. It was therefore prayed that immediate orders might be issued to the Taluk authorities not to do so. The petition was forwarded to the Sub Division Officer, for immediate enquiry and report due precaution being taken to prevent any possibility of a breach of the peace. The Counsel for the petitioners was also given an endorsement desiring him to advise the petitioner and his co-religionists to remove the shed at once since it was an unauthorised construction and in a place selected for the construction of a flight of steps. The Executive Engineer had made a report to me that the unauthorised zinc shed was causing obstruction to the working of an estimate for constructing the flight of steps leading from the Sri Ganapathi Devaru temple to the tank, which had been sanctioned by you, the work having been approved by the Dewan Sahib when he toured in this District last January. While sending a copy of the above communication of the Executive Engineer to the Sub Division Officer I requested the Sub Division Officer to call upon the Committee for the management of the Masjid to have the unauthorised construction pulled down at once. The Sub Division Officer, in accordance therwith enquired into the matter carefully and came to the conclusion that the land in question does not belong

to the Masjid and that the Mahomedans had deliberately constructed the temporary structure without obtaining a license from the proper authorities and obviously with a view to obstruct the construction of the flight of steps. As a result of his enquiry, the Sub Division Officer passed an order on the 7th that if the unauthorised construction was not removed within 24 hours of the service of his order action would be taken against them under Section 59 of the Land Revenue Code This order was sent to the Taluk Amildar for taking further action. From the report of the Sub Division Officer, dated 9th December 1927 it is seen that at first the Mahomedan residents were not amenable to reason and descipline as the result of which the local authorities had to call for police help to proceed against such of the persons as were causing obstruction to the public servants in the discharge of their duty. Fortunately the next morning the Mahomedans came to terms and were more reasonable and themselves removed the zinc roofing of the temporary structure leaving the Sub Division Officer to complete the work of demolition. The Sub Division Officer reports in his report dated 10th that the whole episode ended in peace and without any breach of the peace or unpleasantness. The unauthorised building was completely removed.

2. From the facts narrated above, it is clear that the step taken by the Khaji and his men was altogether unhappy and irregular in the extreme and gives the whole case a colour that it was done with a view to create trouble between the two communities. As I have already pointed above the work of constructing the flight of steps was about to be commenced by the Public Works Department and it is a known fact that the work had been approved by the Dewan Sahib during his visit to Sagar in January last. (Vide: D.O. letter from the Superinteding Engineer). The estimate was sanctioned by you as Muzrai Commissioner for Rs. 841/-. There has already been a delay of nearly a year in executing this work and this unnecessary obstruction has come in the way of putting the work on hand.

3. The entire file of correspondence including the enquiry record of the Sub Division Officer is herewith submitted for kind

perusal and early return for further action being taken.

****

"Copy"

K.Subbarayappa.

Deputy Commissioner,

Shimoga District.

Ron

APP. F. VI. Gl.]

SUBJECT.....

"

.....

Section Mlg

File No. 124-27

Serial No. 6

Diary No. of letter replied to .. ..

No. 1238

General and Revenue Secretariat

( )

the *192*

To

The Deputy Commissioner
Shimoga Dist
Shimoga

Date of issue 1/2/28

Signed by M.V. Venkataya

Sir,

With reference to your
letter No. M/s I 363 /27-28 of 12th
and 28 forwarding petitions against the
Complaint of the Muhammadan residents
of Sagar against the removal
of a shed immediately erected
by them near the mosque and
that the project in the construc-
tion of steps from Sri Sanapa Thi
Temple in the locality. If the land
may be dropped, you are requested
to state that fact appro-

over

List of enclosures.....

Copied by.. .....

Examined by M.V.B.W
31/1/28

30

[illegible] from "Jerusalem". Necessary
[illegible] archive [illegible] taken in the matter.

[illegible]

[illegible]

[illegible] No. 1236 [illegible]
Enclosures 8-2-28

Copy of this above is forwarded to
the [illegible] for information
in the [illegible] of the [illegible] is taken regarding
above [illegible] and also enclosed.

[illegible]

[illegible]

[illegible]

A. P. F. VI. Gl]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

.( )

the *192*

Date of issue 6/2/28

Signed by: M.J.K. Somaweera Upr

List of enclosures.....

Copied by .....

Examined by .....

Section Mis

File No. ~~1286~~ 174-27

Serial No. 7

No. 1286 Line on prepaid telegram from

To .....

With Ref. to their telegram and petition dy 8th Decr 1927 and 12th Decr 1927 Re the shed unauthorizedly erected by them near the Mosque at Sagale, Khazi Syed Miskin Shah Idrus and other Muhammadan gentlemen are informed that necessary orders have been issued to the Dy. Comr, Kurunegala in the matter.

The Prepaid telegram for

over

WD 0326—GPB—33,000—26-5-27

Reply, is herewith returned.

B-C.

27/2

DCA) Asst. Secy

RL

2/2/28